

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION

BIGFOOT ON THE STRIP, LLC,

Plaintiff,

vs.

RANDY WINCHESTER;  
EMILY WINCHESTER; and  
DANCING COW FARMS,

Defendants.

Case № 6:18-CV-03155

**DEFENDANT EMILY WINCHESTER AND DANCING COW FARMS'**  
**MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION, AND FOR IMPROPER**  
**SERVICE OF PROCESS AS TO DANCING COW FARMS**

COME NOW, defendants Emily Winchester and Dancing Cow Farms, by and through their counsel of record, Jennifer R. Johnson of Hinkle Law Firm, LLC, and pursuant to Federal Rule of Civil Procedure 12(b)(2), 12(b)(4), and 12(b)(5) hereby move the Court to dismiss the Plaintiff's claims asserted against them herein, for lack of personal jurisdiction as to the claims against Emily Winchester, and for lack of personal jurisdiction and improper service of process, with respect to the claims against Dancing Cow Farms. Specifically, dismissal is proper for the following reasons: as to Emily Winchester, for Lack of Personal Jurisdiction pursuant to Federal Rule of Civil Procedure 12(b)(2); and as to Dancing Cow Farms, because (1) the sole proprietor, Randy Winchester, who operates Dancing Cow Farms has not been properly served with process and dismissal of Dancing Cow Farms is therefore proper pursuant to Rules 12(b)(4) and 12(b)(5); and (2) if Dancing Cow Farms has been properly served, this Court lacks personal jurisdiction over Dancing Cow Farms, a Kansas business/farm owned and operated by a Kansas resident and dismissal is proper pursuant to Rule 12(b)(2).

In support of their Motion, see Defendant's Memorandum in Support of Motion to Dismiss, filed contemporaneously herewith, and incorporated herein by reference.

WHEREFORE, defendants Emily Winchester and Dancing Cow Farms, pursuant to Federal Rule of Civil Procedure 12(b)(2), 12(b)(4), and 12(b)(5), hereby move this Court to dismiss the claims against them, and for such other relief as the Court deems just and proper.

Respectfully submitted,

HINKLE LAW FIRM LLC  
6800 College Boulevard, Suite 600  
Overland Park, Kansas 66211  
913-345-9205/ FAX: 913-345-4832

By: /s/ Jennifer R. Johnson  
Jennifer R. Johnson, [jjohnson@hinklaw.com](mailto:jjohnson@hinklaw.com) #59197

ATTORNEYS FOR DEFENDANTS

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 22<sup>nd</sup> day of May, 2018, the foregoing *Defendants'* *Motion to Dismiss* was filed electronically with the Clerk of the District Court of Johnson County, KS; and a service copy was served electronically via email only on the following:

Bryan D. Fisher, #65904 ([bfisher@nnlaw.com](mailto:bfisher@nnlaw.com))  
NEALE & NEWMAN, LLP  
1949 E. Sunshine, Suite 1-130  
Springfield, MO 65808-0327  
417-882-9090 / Fax: 417-882-2529  
*Attorneys for Plaintiff*

/s/ Jennifer R. Johnson  
ATTORNEYS FOR DEFENDANTS